

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED  
RICHARD W. NAGEL  
CLERK OF COURT

3:28-25

United States of America

v.

KEVIN ANDRADE ROMERO

Case No.

3:25-mj-160

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WEST. DIV. DAYTON

Defendant(s)

## CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 19, 2025 in the county of Greene in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

18 USC § 922(g)(5)

Offense Description

Possession of a Firearm By an Alien Illegally or Unlawfully in the United States.

This criminal complaint is based on these facts:

See affidavit of Thomas Cardinali, HSI

☒ Continued on the attached sheet.

Thomas Cardinali

Complainant's signature

SA Thomas Cardinali, HSI

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by  
telephone (specify reliable electronic means).Date: March 28, 2025City and state: Dayton, OhioCaroline H. Gentry  
United States Magistrate Judge

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A CRIMINAL COMPLAINT**

I, Thomas Cardinali, being duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of a criminal complaint pursuant to Rule 4 of the Federal Rules of Criminal Procedure, charging Kevin ANDRADE ROMERO with a violation of 18 U.S.C. § 922(g)(5)(A) (possession of a firearm by an alien illegally or unlawfully in the United States).

2. I am a Special Agent (SA) with the United States Department of Homeland Security, Homeland Security Investigations (HSI) and have been since August 2022, and am currently assigned to the HSI Assistant Special Agent in Charge Cincinnati, Ohio office. I have gained experience through training at the Federal Law Enforcement Training Center and everyday work relating to immigration crimes and child exploitation. I have participated in the preparation and execution of federal arrest and search warrants in my position as a Special Agent, including for federal violations involving firearms. Prior to this, I was a Special Agent with the U.S. Secret Service for four years and received specialized training and experience related to cybercrimes and electronic evidence.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

**PROBABLE CAUSE**

4. On March 19, 2025, the Fairborn Police Department (FPD) responded to a 911 call concerning an ongoing incident at 2145 Rockdell Dr, Apt 7, Fairborn, Ohio. Specifically, police

dispatch advised FPD that an individual named “Kevin” was outside of this Fairborn residence threatening its occupants and that “Kevin” had a firearm in his waistband. Dispatch further described “Kevin” as a Hispanic male dressed in black.

5. When FPD officers arrived at the apartment complex, they soon noticed a Hispanic man (later identified as Kevin ANDRADE ROMERO) dressed in black standing near the Apartment 7 (i.e., the address that had reported the incident). Given that ANDRADE ROMERO not only matched the description of the suspect but also was near the location at which the suspect was last reported, FPD detained and conducted a frisk of his person for officer safety. In doing so, FPD recovered from ANDRADE ROMERO a loaded Glock 17 firearm as well as a BB gun that replicated a Smith & Wesson. After officers discovered the firearm, they requested that ANDRADE ROMERO provide them with his identifying information. FPD was able to obtain his name and date of birth, but ANDRADE ROMERO could not provide a social security number. Dispatch ran ANDRADE ROMERO’s name through law enforcement databases and could find no driver license or social security number associated with him.

6. FPD placed ANDRADE ROMERO under arrest for carrying a conceal weapon and transported him to the Greene County, Ohio, Jail. Once there, officers conducted a more thorough search of ANDRADE ROMERO as part of standard booking procedures and discovered in his pocket a baggie containing a substance consistent with methamphetamine. ROMERO was detained at the Greene County Jail on state charges.

7. On or about March 24, 2025, Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) encountered ANDRADE ROMERO at the Greene County Jail. As part of its administrative responsibilities, ICE ERO visits local detention facilities and speaks with individuals who may not be present legally in the United States. Given

ANDRADE ROMERO's lack of a social security number and driver license, ICE ERO spoke with him to determine his immigration status. In speaking with ICE ERO, ANDRADE ROMERO confirmed that he was born in Mexico and was a citizen of that country. ANDRADE ROMERO explained that he last entered the United States without inspection sometime during 2022, at or near an unknown location in Arizona. ICE ERO reviewed immigration databases and confirmed no record of lawful entry for ANDRADE ROMERO into the United States from any lawful port of entry designated by the Attorney General or the Secretary of the Department of Homeland Security. ICE ERO therefore confirmed that, at least since 2022, ANDRADE ROMERO was an alien unlawful or illegally in the United States and placed him in removal proceedings. Given that ANDRADE ROMERO understood that he crossed into the United States without inspection, he knew that he was not lawfully in the United States following his illegal entry here in 2022.

8. I have conferred with ATF Special Agent Brandon Stahlhut, who conducted an interstate nexus inquiry on the firearm recovered from ANDRADE ROMERO. The firearm was identified as a Glock, Model 17 Gen 4, 9mm, pistol with serial number WRP735. SA Stahlhut determined that the firearm was manufactured outside the State of Ohio and therefore traveled in interstate and/or foreign commerce prior to March 19, 2025, to reach ANDRADE ROMERO in this state.

9. Based on the facts set forth in the Affidavit, there is probable cause to believe that on or about March 19, 2025, in the Southern District of Ohio, Kevin ANDRADE ROMERO, knowing that he was an alien illegally or unlawfully in the United States, knowingly possessed a firearm that moved in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(5)(A).

Respectfully submitted,

*Thomas Cardinali*

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Thomas Cardinali  
Special Agent  
Homeland Security Investigations

By telephone  
Subscribed and sworn to before me on this 28<sup>th</sup> day of March \_\_, 2025

  
Caroline H. Gentry  
United States Magistrate Judge

